

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BARRY M. JENKINS,

Plaintiff,

v.

Case No. 04-C-899

VICTOR MANINGO, MD,

Defendant,

ORDER

On September 29, 2005, defendant Victor Maningo filed a letter requesting that the court grant his August 29, 2005, motion for summary judgment because plaintiff has failed to file a timely response.

Currently pending are plaintiff's May 4, 2005, motion for summary judgment and defendant's August 29, 2005, motion for summary judgment. Defendant's motion also serves as a response to plaintiff's summary judgment motion. Pursuant to the Local Rules, plaintiff had until September 28, 2005, to file a response to defendant's motion. Civil L.R. 7.1(c) (E.D. Wis.). No response has been filed.

The court will granted plaintiff additional time until December 15, 2005, in which to file a response to defendant's motion for summary judgment. Plaintiff is advised that if he fails to file a response on or before December 15, 2005, the court will decide the pending motions as they are currently submitted.

CONCLUSION

For the foregoing reasons,

IT IS THEREFORE ORDERED that plaintiff shall file a response to defendant's motion for summary judgment on or before **December 15, 2005**.

Dated at Milwaukee, Wisconsin, this 18 day of November, 2005.

/s _____
LYNN ADELMAN
District Judge